

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Julie Theel	Examiner:	Lowen, Alyssa
Application No.:	10/668,049	Group Art Unit:	3711
Filing Date:	September 22, 2003	Confirmation No.	7272
Office Action Date:	May 16, 2006	Docket No.	10639-1
Title:	DISMEMBERABLE CANINE APPEASEMENT DEVICE AND METHOD		Customer No. 30076

Commissioner for Patents
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REPLY TO RESTRICTION REQUIREMENT

This election is in response to the Restriction Requirement of May 16, 2006, and is timely filed.

INTRODUCTORY COMMENTS

Claims 21-54 are pending in the present application. Claims 21-54 are subject to restriction and/or election requirement under 35 U.S.C. 121 to one of the following inventions. The Examiner's restriction requirement has been considered. In response, Applicant respectfully traverses the restriction requirement, but has made a provisional election, as required.

No claims have been canceled or amended. Additionally, no claims have been added. Applicant respectfully contends that the differences between the claimed invention and the cited references are such that the claimed invention is patentably distinct over the cited references.

AMENDMENTS TO THE CLAIMS

Claim amendments and status:

1-20. (Canceled)

21. (Original) A pet toy device for a house pet, the device comprising:

a pet toy main member having an exterior surface and one or more interface surfaces, wherein the main member exterior surface is non-destructively gripable by a house pet using its mouth and paws, and wherein the pet toy main member is shaped and sized to prevent swallowing by a house pet; and

one or more pet toy secondary members, each pet toy secondary member having an exterior surface that is non-destructively gripable by a house pet using its mouth and paws; each pet toy secondary member further having an interface surface that corresponds to the main member interface surfaces, and wherein the pet toy secondary members are shaped and sized to prevent swallowing by a house pet;

wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attachable by a human to create an attached toy state, non-destructively detachable by a house pet using its mouth and paws to create a detached toy state, and repeatedly reattachable by a human to recreate an attached toy state after being detached by a house pet;

thereby enabling a house pet to tear apart the main and secondary members of the toy by gripping the exterior surfaces of the toy with its paws and mouth, and subsequently enabling a human to easily reassemble the toy by reattaching the interface surfaces of the main member and secondary members.

22. (Original) The device of claim 21, wherein the house pet is a dog.

23. (Original) The device of claim 21, wherein the exterior surfaces of the pet toy main member and the pet toy secondary members are sufficiently durable to non-destructively withstand biting and chewing by a house pet.

24. (Original) The device of claim 21, wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attached securely enough to require a

substantial amount of force to detach the secondary members from the main member that a challenge is provided for a house pet.

25. (Original) The device of claim 21, wherein the pet toy is constructed from one or more materials selected from the group of denim, plush, corduroy, and rubber.

26. (Original) The device of claim 21, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using hook and loop tape.

27. (Original) The device of claim 21, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using magnets.

28. (Original) The device of claim 21, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using snaps, whereby the pet toy main member includes a protrusion at each interface surface that snaps into a mating socketed portion on an interface surface of each secondary member, thereby attaching the pet toy main member to the pet toy secondary members.

29. (Original) The device of claim 21, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using snaps, whereby the pet toy main member includes a socketed portion at each interface surface that snaps onto a mating protrusion on an interface surface of each secondary member, thereby attaching the pet toy main member to the pet toy secondary members.

30. (Original) The device of claim 1, further comprising a cord that connects the pet toy main member and the pet toy secondary members at the interfacing surfaces, wherein the cord is sized in length to allow the interface surfaces on the main member to separate from the interface surfaces on the secondary member while still remaining connected via the cord, and wherein the cord facilitates restoring the pet toy to the attached toy state after the main member and the secondary members have been detached from each other by a house pet.

31. (Original) A method of producing a pet toy for a house pet, the method comprising:

forming a pet toy main member having an exterior surface and one or more interface surfaces, wherein the main member exterior surface is gripable by a house pet using its mouth and paws, and wherein the pet toy main member is shaped and sized to prevent swallowing by a house pet; and

forming one or more pet toy secondary members, each pet toy secondary member having an exterior surface that is gripable by a house pet using its mouth and paws; each pet toy secondary member further having an interface surface that corresponds to the main member interface surfaces, and wherein the pet toy secondary members are shaped and sized to prevent swallowing by a house pet;

wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attachable by a human to create an attached toy state, non-destructively detachable by a house pet using its mouth and paws to create a detached toy state, and repeatably reattachable by a human to recreate an attached toy state after being detached by a house pet;

thereby enabling a house pet to tear apart the main and secondary members of the toy by gripping the exterior surfaces of the toy with its paws and mouth, and subsequently allowing a human to easily reassemble the toy by reattaching the interface surfaces of the main member and secondary members.

32. (Original) The method of claim 31, wherein the house pet is a dog.

33. (Original) The method of claim 31, wherein the exterior surfaces of the pet toy main member and the pet toy secondary members are sufficiently durable to non-destructively withstand biting and chewing by a house pet.

34. (Original) The method of claim 31, wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attached securely enough to require a substantial amount of force to detach the secondary members from the main member that a challenge is provided for a house pet.

35. (Original) The method of claim 31, wherein the pet toy is constructed from one or more materials selected from the group of denim, plush, corduroy, and rubber.

36. (Original) The method of claim 31, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using hook and loop tape.
37. (Original) The method of claim 31, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using magnets.
38. (Original) The method of claim 31, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using snaps, whereby the pet toy main member includes a protrusion at each interface surface that snaps into a mating socketed portion on an interface surface of each secondary member, thereby attaching the pet toy main member to the pet toy secondary members.
39. (Original) The method of claim 31, wherein the pet toy main member and the pet toy secondary members are attached at the interface surfaces using snaps, whereby the pet toy main member includes a socketed portion at each interface surface that snaps onto a mating protrusion on an interface surface of each secondary member, thereby attaching the pet toy main member to the pet toy secondary members.
40. (Original) The method of claim 31, further comprising a cord that connects the pet toy main member and the pet toy secondary members at the interfacing surfaces, wherein the cord is sized in length to allow the interface surfaces on the main member to separate from the interface surfaces on the secondary member while still remaining connected via the cord, and wherein the cord facilitates restoring the pet toy to the attached toy state after the main member and the secondary members have been detached from each other by a house pet.
41. (previously presented) A pet toy device for a house pet, the device comprising:
a pet toy main member having an exterior surface and one or more interface surfaces, wherein the main member exterior surface is non-destructively gripable by a house pet using its mouth and paws, wherein each of the main member interface surfaces includes a first portion of a snap connector, and wherein the pet toy main member is shaped and sized to prevent swallowing by a house pet; and
one or more pet toy secondary members, each pet toy secondary member having an exterior surface that is non-destructively gripable by a house pet using its mouth and paws; each

pet toy secondary member further having an interface surface that includes a second portion of a snap connector that mateably corresponds to the first portion of the snap connector on each main member interface surface, and wherein the pet toy secondary members are shaped and sized to prevent swallowing by a house pet;

wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attachable by a human to create an attached toy state via the snap connectors, non-destructively detachable by a house pet using its mouth and paws to create a detached toy state by disconnecting the snap connectors, and repeatably reattachable by a human to recreate an attached toy state via the snap connectors after being detached by a house pet;

thereby enabling a house pet to tear apart the main and secondary members of the toy by gripping the exterior surfaces of the toy with its paws and mouth, and subsequently enabling a human to easily reassemble the toy by reattaching the interface surfaces of the main member and secondary members.

42. (Original) The device of claim 41, wherein the house pet is a dog.

43. (Original) The device of claim 41, wherein the exterior surfaces of the pet toy main member and the pet toy secondary members are sufficiently durable to non-destructively withstand biting and chewing by a house pet.

44. (Original) The device of claim 41, wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attached securely enough via the snap connectors to require a substantial amount of force to detach the secondary members from the main member that a challenge is provided for a house pet.

45. (Original) The device of claim 41, wherein the pet toy is constructed, at least in part, from rubber material.

46. (Original) The device of claim 41, wherein the first portion of a snap connector includes a protrusion, and the second portion of a snap connector includes a mating socketed portion, and wherein the first portion of the snap connector is shaped and sized to snap into the second portion of the snap connector, thereby attaching the pet toy main member to the pet toy secondary members.

47. (Original) The device of claim 41, wherein the first portion of a snap connector includes a socketed portion, and the second portion of a snap connector includes a mating protrusion, and wherein the first portion of the snap connector is shaped and sized to snap onto the second portion of the snap connector, thereby attaching the pet toy main member to the pet toy secondary members.

48. (Original) A method of producing a pet toy for a house pet, the method comprising:
forming a pet toy main member having an exterior surface and one or more interface surfaces, wherein the main member exterior surface is non-destructively grippable by a house pet using its mouth and paws, wherein each of the main member interface surfaces includes a first portion of a snap connector, and wherein the pet toy main member is shaped and sized to prevent swallowing by a house pet; and

forming one or more pet toy secondary members, each pet toy secondary member having an exterior surface that is non-destructively grippable by a house pet using its mouth and paws; each pet toy secondary member further having an interface surface that includes a second portion of a snap connector that mateably corresponds to the first portion of the snap connector on each main member interface surface, and wherein the pet toy secondary members are shaped and sized to prevent swallowing by a house pet;

wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attachable by a human to create an attached toy state via the snap connectors, non-destructively detachable by a house pet using its mouth and paws to create a detached toy state by disconnecting the snap connectors, and repeatably reattachable by a human to recreate an attached toy state via the snap connectors after being detached by a house pet;

thereby enabling a house pet to tear apart the main and secondary members of the toy by gripping the exterior surfaces of the toy with its paws and mouth, and subsequently enabling a human to easily reassemble the toy by reattaching the interface surfaces of the main member and secondary members.

49. (Original) The method of claim 48, wherein the house pet is a dog.

50. (Original) The method of claim 48, wherein the exterior surfaces of the pet toy main member and the pet toy secondary members are sufficiently durable to non-destructively withstand biting and chewing by a house pet.

51. (Original) The method of claim 48, wherein the interface surfaces of the main member and the interface surfaces of the secondary members are attached securely enough via the snap connectors to require a substantial amount of force to detach the secondary members from the main member that a challenge is provided for a house pet.

52. (Original) The method of claim 48, wherein the pet toy is constructed, at least in part, from rubber material.

53. (Original) The method of claim 48, wherein the first portion of a snap connector includes a protrusion, and the second portion of a snap connector includes a mating socketed portion, and wherein the first portion of the snap connector is shaped and sized to snap into the second portion of the snap connector, thereby attaching the pet toy main member to the pet toy secondary members.

54. (Original) The method of claim 48, wherein the first portion of a snap connector includes a socketed portion, and the second portion of a snap connector includes a mating protrusion, and wherein the first portion of the snap connector is shaped and sized to snap onto the second portion of the snap connector, thereby attaching the pet toy main member to the pet toy secondary members.

REMARKS

1. Restriction Requirement: Claims 21-54

Claims 21-54 are subject to restriction and/or election requirement under 35 U.S.C. 121 to one of the following inventions:

- I. Claims 21-30 and 41-47, drawn to a pet toy, classified in class 446, subclass 85.
- II. Claims 31-40 and 48-54, drawn to a method of using a pet toy, classified in class 119, subclass 702.

Applicant respectfully traverses the restriction requirement, but provisionally elects Group I: Claims 21-30 and 41-47, drawn to a pet toy, classified in class 446, subclass 85, for prosecution on the merits. Applicant respectfully reserves the right to file one or more divisional and/or continuing applications claiming the subject matter of the non-elected claims.

CONCLUSION

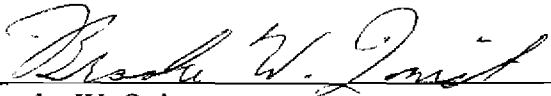
Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 21-54 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge any additional required fees from Deposit Account No. 502811, Deposit Account Name BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:30 PM Pacific Time.

Respectfully submitted,

Date: June 16, 2006



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